

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of this application are respectfully requested in view of the remarks and amendments herein, which place the application into condition for allowance. The present response is being submitted to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 3, 5-9, 11-12, 14-18, and 20 are currently pending. Claims 3, 8, 12 and 17, which are independent, are hereby amended. Support for this amendment is provided at least at page 23 of the Specification as filed. No new matter has been introduced. Claims 1, 2, 4, 10, 13 and 19 have been canceled without prejudice or disclaimer of subject matter.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 3 and 12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,991,503 to Miyasaka et al. (hereinafter, merely "Miyasaka") in view of Doh Sang-Yoon et al., "Fast Forward And Fast Rewind Play System Based On MPEG System Stream With New Concept" (hereinafter, merely "Sang-Yoon").

Claims 3, 6-8, 11-12, 15-17, and 20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,628,890 to Yamamoto et al. (hereinafter, merely "Yamamoto") in view of Sang-Yoon.

Claims 5 and 14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyasaka in view of Sang-Yoon and further in view of U.S. Patent No. 6,865,747 to Mercier (hereinafter, merely "Mercier").

Claims 6-7 and 15-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyasaka in view of Sang-Yoon and further in view of U.S. Patent No. 6,002,834 to Hirabayashi (hereinafter, merely "Hirabayashi").

Claims 5, 9, 14 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yamamoto in view of Sang-Yoon and further in view of Mercier.

As understood by Applicants, Miyasaka relates to an encoding unit which encodes and compresses picture data in a bit map format corresponding to the MPEG method. A packet assembling portion assembles the picture data encoded by the encoding unit as packets in the format corresponding to the MPEG method, and stores the packets to a storing medium. The packet assembling portion writes an I picture index to a packet that contains at least a part of I picture data. When a special reproducing operation is performed, a data storing unit reads only packets that have the I picture index. A decoding unit decodes only I picture data of picture data contained in packets read from the storing medium and displays the decoded picture data.

As understood by Applicants, Sang-Yoon relates to using index data in an MPEG system stream.

As understood by Applicants, Yamamoto relates to an apparatus for recording/reproducing image data according to MPEG2 system which obtains I picture data and performs trick playback smoothly. In the apparatus, a PES packet including an I picture is detected from video coded data which is recorded on a recording medium by an I picture detection unit, an index file of the number of bytes from the start of recording or packet length and the like is created for the PES packet including the I picture data by a index file creation block, and the index file is recorded on an A/V-HDD. In the trick playback process, a navigation

control block obtains the index file, and then obtains the I picture data from the PES packet on the basis of the index file, thereby to perform the trick playback smoothly.

As understood by Applicants, Mercier relates to an apparatus and method for storing and playing high definition content. Mercier provides a mechanism for storing and playing back high definition content on a medium such as DVD optical disc. Elementary streams may be multiplexed and processed in a high definition media player instead of at authoring time. Extended real-time features are also provided, such as inserting watermarks into the content stream, decrypting selected sections of the content stream, and performing trick playback display modes.

As understood by Applicants, Hirabayashi relates to an optical disk recording of compressed moving picture data and an optical disk reproduction apparatus each capable of easily effecting trick play such as high speed reproduction and a retrieval operation at a high speed. Additional information necessary for trick play is recorded in an arbitrary area of an optical disk such as a TOC (Table of Contents) or a leading sector (sector 0) of the disk, and a sector address is added to each sector. To conduct trick play, an I picture, a P picture and a B picture contained in a GOP layer inside a bit stream of compressed image data are extracted and reproduced in accordance with a reproduction speed by looking up a trick play table.

Applicants respectfully submit that the present claims are patentable over the applied references for at least the following reasons.

A. Cited references do not teach all claim recitations

Claim 3 recites, *inter alia*:

“...wherein the **first marker packet includes a unique single quantity packet identifier** and the **second marker packet includes a unique single quantity packet identifier not**

otherwise used in transport stream packets in the received stream.”

(Emphasis added)

Applicants respectfully submit that nothing has been found in the cited references, taken alone or in combination, which would teach or suggest the above-identified features of claim 1. Specifically, the cited references, taken alone or in combination, fail to disclose or suggest, that wherein the first marker packet includes a unique single quantity packet identifier and the second marker packet includes a unique single quantity packet identifier not otherwise used in transport stream packets in the received, as recited in claim 3.

The Office Action concedes that Miyasaka and Yamamoto fail to provide a teaching of this feature. Instead, the Office Action relies on Figure 4 and page 849 of Sang-Yoon for a teaching of this recitation. As understood by Applicants, Sang-Yoon describes inserting three bytes to the START I-picture packet and 3 bytes to the END I-picture packet in order to increase the length of the stream. Applicants submit that Sang-Yoon fails to teach or suggest that the first marker includes a unique single quantity packet identifier and the second marker packet includes a unique single quantity packet identifier not otherwise used in transport stream packets in the received, as recited in claim 3. Apparently, according to Sang-Yoon, to make a decoder decide that nextbit() is not packet_start_code_prefix, the index data must be longer than three bytes. (See Sang-Yoon, page 849, first column final two paragraphs.) Therefore, Sang-Yoon fails to meet the above-discussed recitation of claim 3.

B. Sang-Yoon Teaches Away From Claimed Invention

As stated previously, the Office Action relies on Figure 4 and page 849 of Sang-Yoon for a teaching of the marker data including a packet identifier. As understood by

Applicants, Sang-Yoon describes inserting three bytes to the START I-picture packet and 3 bytes to the END I-picture packet in order to increase the length of the stream. Apparently, according to Sang-Yoon, to make a decoder decide that nextbit() is not packet_start_code_prefix, the index data must be longer than three bytes. (See Sang-Yoon, page 849, first column final two paragraphs.) Indeed, Applicants submit that the disclosure of inserting three bytes into a packet (Start and End) teaches away from a recitation that the first marker includes a unique single quantity packet identifier and the second marker packet includes a unique single quantity packet identifier not otherwise used in transport stream packets in the received, as recited in claim 3.

Therefore, for all the reasons stated above, Applicants respectfully submit that independent claim 3 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 3, independent claims 8, 12, and 17 are also patentable.

III. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims, discussed above, and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are in condition for allowance and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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